

§ 45-11-5. Tax on gross premium receipts of fire insurance policies to defray expenses of office of state chief deputy fire marshal and state fire academy; additional funding for municipal fire protection fund and county volunteer fire department fund.

- (1) Any expense, including office supplies, counsel fees, expenses of deputy, detective and officers, incurred by the Commissioner of Insurance in the performance of the duties imposed upon him by Sections 45-11-1 and 45-11-3, and the operation of the State Fire Academy, as provided in Section 45-11-7, shall be defrayed by all insurance companies, including stock, mutuals and reciprocals writing fire insurance, including the fire insurance components of automobile insurance, dwelling multiple peril insurance, farm multiple peril insurance and commercial multiple peril insurance, doing business in this state; and a tax of one-half of one percent ($\frac{1}{2}$ of 1%) of the gross premium receipts of these fire insurance policies is hereby levied for this purpose to be collected by the State Tax Commission in the same manner as the general tax on premiums is collected as provided in Section 27-15-107. In the case of indivisible multiple peril insurance policies when the fire portion of the policy is not specified, a tax of one-half of one percent ($\frac{1}{2}$ of 1%) is hereby levied on forty-five percent (45%) of the gross premium receipts of these policies.
- (2) There is created a separate account known as the "State Fire Academy Fund" for support of the State Fire Academy. Not later than the fifteenth of the month succeeding the month in which taxes under subsection (1) are collected, the State Treasurer shall transfer into this account all taxes collected under subsection (1) for the operation of the State Fire Academy. The annual expenditure for the operation of the academy shall not exceed the amount in the account; however, any unexpended funds remaining in the account at the close of the fiscal year may be carried over for use in the ensuing years.
- (3)
 - (a) A tax of one-half of one percent ($\frac{1}{2}$ of 1%) is hereby levied on the gross premium receipts of all insurance policies taxed in subsection (1).
 - (b) Not later than the fifteenth day of each month, the State Treasurer shall disburse the revenue from the tax levied in this subsection as follows:
 - (i) Fifty percent (50%) shall be transferred into the Municipal Fire Protection Fund in Section 83-1-37; and
 - (ii) Fifty percent (50%) shall be transferred to the County Volunteer Fire Department Fund in Section 83-1-39.
- (4) All taxes shall be deposited into the treasury as provided in Section 7-7-21. The tax commission shall keep separate accounts of all taxes collected under this section and shall include these accounts in its annual report.

SOURCES: Laws, 1994, ch. 502, § 3, eff from and after passage (approved March 23, 1994); 1994, ch. 577, § 1, eff from and after October 1, 1994.